

**Certificate of Notice Page 1 of 5**  
 United States Bankruptcy Court  
 Eastern District of Pennsylvania

In re:  
 Nicole Moss  
 Debtor

Case No. 16-18641-ref  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0313-4

User: dlv  
 Form ID: pdf900

Page 1 of 1  
 Total Noticed: 2

Date Rcvd: Jul 24, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 26, 2017.

db +Nicole Moss, 3595 Vista Drive, Macungie, PA 18062-2136

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 cr +E-mail/PDF: gecsed@recoverycorp.com Jul 25 2017 01:37:01 Synchrony Bank,  
 c/o PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTAL: 1

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 26, 2017

Signature: /s/Joseph Speetjens

**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 24, 2017 at the address(es) listed below:

DENISE ELIZABETH CARLON on behalf of Creditor NATIONSTAR MORTGAGE LLC bkgroup@kmlawgroup.com  
 FREDERICK L. REIGLE ecmail@fredreiglechl3.com, ecf\_frpa@trusteel3.com  
 FREDERICK L. REIGLE on behalf of Trustee FREDERICK L. REIGLE ecmail@fredreiglechl3.com,  
 ecf\_frpa@trusteel3.com  
 JASON BRETT SCHWARTZ on behalf of Creditor Capital One Auto Finance  
 jschwartz@mesterschwartz.com, jottinger@mesterschwartz.com  
 LISA MARIE CIOTTI on behalf of Trustee FREDERICK L. REIGLE ecmail@fredreiglechl3.com,  
 ecf\_frpa@trusteel3.com  
 MATTEO SAMUEL WEINER on behalf of Creditor NATIONSTAR MORTGAGE LLC bkgroup@kmlawgroup.com  
 PETER J. ASHCROFT on behalf of Creditor Regional Acceptance Corporation  
 pashcroft@bernsteinlaw.com,  
 pghecf@bernsteinlaw.com/pashcroft@ecf.courtdrive.com;ckutch@ecf.courtdrive.com;cabbott@ecf.courtdrive.com;dschimizzi@bernsteinlaw.com;acarr@bernsteinlaw.com  
 United States Trustee USTPRegion03.PH.ECF@usdoj.gov  
 ZACHARY ZAWARSKI on behalf of Debtor Nicole Moss zzawarski@zawarskilaw.com

TOTAL: 9

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE:	)	CHAPTER 13
	)	
NICOLE MOSS	)	
a/k/a NICOLE THREADCRAFT	)	
a/k/a NICOLE THREADCRAFT-MOSS	)	CASE NO. : 16-18641-RBF
a/k/a NICOLE MOSS-THREADCRAFT	)	
a/k/a NICOLE HOLMES, Debtor	)	
<hr/>		
CAPITAL ONE AUTO FINANCE, A	)	<u>HEARING DATE:</u>
DIVISION OF CAPITAL ONE N.A.	)	Thursday, June 22, 2017
	)	9:30 a.m.
Movant	)	
vs.	)	<u>LOCATION:</u>
NICOLE MOSS a/k/a NICOLE THREADCRAFT	)	U.S. Bankruptcy Court
a/k/a NICOLE THREADCRAFT-MOSS	)	The Madison Building
a/k/a NICOLE MOSS-THREADCRAFT a/k/a	)	Courtroom No. 1
NICOLE HOLMES and LAVINCE MONTELL	)	400 Washington Street
HOLMES, Codebtor	)	Reading, PA 19601
	)	
Respondents	)	
and	)	
FREDERICK L. RHIGLE	)	
Trustee	)	

**STIPULATION**

COME NOW, this       day of       , 2017, Nicole Moss, Debtor and Lavince Montell Holmes, Codebtor, through Debtors, attorney, *Zachary Zawarski, Esquire*, and Capital One Auto Finance, a Division of Capital One N.A., ("COAF") by and through its attorneys, *Mester & Schwartz, P.C.*, hereby stipulate the following terms of settlement of the Motion for Relief:

WHEREAS the Debtors own a 2015 Chevrolet Truck Equinox Utility 4D LT 2WD, V.I.N. 1GNALBEK0FZ134875; and

WHEREAS COAF filed a Motion for Relief ("Motion") with respect to missed post-petition payments; and

WHEREAS the Debtors have filed a Response to the Motion; and

WHEREAS the Debtors and COAF seek to resolve the Motion; it is hereby stipulated and

agreed that:

1. The Debtors paid post-petition arrears in the amount of \$1,916.28 due through May 3, 2017 in COAF's Motion.
2. Within ten (10) days of the entry of this stipulation, the Debtors shall move to amend his Chapter 13 Plan to provide for the attorney's fees in the amount of \$481.00.
3. Failure to have the Plan amended to conform to this Stipulation is an event of default.
4. Thereafter, the Debtors shall remain current with regular monthly payments starting with the regular monthly payment of \$479.07 that became due on May 27, 2017, and all such future payments due on the 27th of each month thereafter.
5. If Debtors shall fail to make their regular monthly payments (or any portion thereof) or fail to get confirmed an Amended Plan conforming to this Stipulation and Debtors fail to cure said default within ten (10) days after notice by COAF (or its counsel) of said default, counsel for COAF may file a Certification of Default with the Court setting forth Debtors' default and COAF shall be granted immediate relief from the automatic stay provisions of Section 362 of the Bankruptcy Code (11 U.S.C. § 362 and §1301), and COAF is then also free to proceed with exercising its rights and remedies as may be allowed under State and Federal law without regard to any future conversion of this matter to a different form of bankruptcy. The Debtors shall be allowed to default and cure such default under this Stipulation one (1) time. Should the Debtors default a second (2nd) time, notice of the default will be served, but the Debtors will not be granted an opportunity to cure the default and COAF may file a Certification of Default.
6. In the event Debtors convert to a bankruptcy under any Chapter other than Chapter 13 of the Bankruptcy Code, then Debtors shall pay all pre-petition arrears and post-petition arrears due and owing within fifteen (15) days from the date the case is converted from Chapter 13 to any other Chapter. If Debtors fail to make payment in accordance with this paragraph, then COAF, through counsel, may file a Certification of Default setting forth said failure and COAF shall be granted immediate relief from the automatic stay provisions of Sections 362 and 1301 of the Bankruptcy Code (11 U.S.C. § 362 and §1301) and COAF is then also free to proceed with exercising its rights and remedies as may be allowed under State and Federal law.
7. The failure by COAF, at any time, to issue a Notice of Default or file a

Certification of Default upon default by the Debtors shall not be construed, nor shall such failure act, as a waiver of any of COAF's rights hereunder.

8. This Stipulation is a supplement and in addition to the Contract between the parties and not in lieu thereof.

9. Facsimile signatures shall be accorded the same force and effect as an original signature, and may be submitted to the Court.

10. The fourteen (14) day stay provided by Rule 4001(a)(3) is hereby waived

Date: July 24, 2017

BY THE COURT:




Richard B. Fehling  
U.S. BANKRUPTCY JUDGE

Arrears:	\$ 0.00
Counsel Fees:	\$ 481.00
Total:	\$ 481.00

Creditor: Capital One Auto Finance,  
A Division of Capital One N.A.  
By Counsel: Mester & Schwartz, P.C.

By:




Jason Brett Schwartz, Esquire  
1333 Race Street  
Philadelphia, Pennsylvania 19107  
(267) 909-9036

DATED: 7/19/17

Seen and agreed to -- We hereby consent to the form and entry of the foregoing Order.

Debtors: Nicole Moss, Debtor and Lavince Montell Holmes, Codebtor  
By Counsel for Debtor: Zachary Zawarski, Esquire


By:

  
Zachary Zawarski, Esquire  
The Law Office of Zachary Zawarski  
1441 Linden Street  
Bethlehem, PA 18018  
(610) 417-6345

DATED: 6/27/2017

Standing Chapter 13 Standing Trustee

By:

  
Frederick L. Reigle, Trustee  
2901 St. Lawrence Avenue  
P.O. Box 4010  
Reading, PA 19606  
(610) 779-1313

DATED:

7/20/17